

REMARKS

This application has been carefully reviewed in light of the Office Action dated June 24, 2005. Claims 1 to 17 and 37 to 40 are in the application, of which Claims 1, 5, 7, 9, 13, 17, 37, 38 are independent. Reconsideration and further examination are respectfully requested.

Claims 7, 8, 13 to 16 and 37 were rejected under 35 U.S.C. § 112, second paragraph, and Claim 12 has been objected to for an informality. Regarding the rejection of Claim 7, and in particular, an alleged lack of antecedence for the claimed feature of "said linked entity pairs," Applicant wishes to point out that, in step (iii)(d), the repeating of steps (a) and (b) results in multiple linked pairs. Therefore, Applicants fail to see any lack of antecedence for the foregoing feature and the rejection of Claim 7 is traversed. As for the remaining § 112 rejections and the objection to Claim 12, the claims have been amended giving due consideration to the points noted in the Office Action and therefore, withdrawal of all of the § 112 rejections and the objection to Claim 12 is respectfully requested.

Claims 1 to 11, 13 to 15, 17 and 37 to 40 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,728,267 (Giese), and Claims 12 and 16 were rejected under 35 U.S.C. § 103(a) over Giese in view of U.S. Patent No. 6,779,004 (Zintel). Reconsideration and withdrawal of the rejections are respectfully requested.

The invention concerns forming communications links between devices based on profile compatibility. According to the invention, a determination is made whether the profiles of an originating device and a target device are compatible, and if not, then a third device is incorporated into the communications by forming a link between the third device and the originating device, and forming a link between the third device and the target device. As a result, if two devices have incompatible profiles, the communication between devices can nonetheless be readily accomplished by incorporating the additional device.

With specific reference to the claims, amended independent Claim 1 is a method of automatically establishing a desired communication between an originating device and a target device, the originating device and the target device each having an associated profile, the method comprising the steps of (i) determining a profile compatibility between the originating device and the target device, (ii) establishing the desired communication, if the profile compatibility between the originating device and the target device is not found, between the originating device and the target device by incorporating at least one additional device, the at least one additional device having an associated profile, the incorporation forming linked pairs of devices among the originating device, the target device and the at least one additional device, and (iii) establishing the desired communication, if the profile compatibility between the originating device and the target device is found, between the originating device and the target device without incorporating the at least one additional device, wherein the incorporation establishes a profile compatibility between each the linked pair of the devices, and each of the steps (i), (ii), and (iii) is performed by at least one of the originating device, the target device, and the at least one additional device.

Amended independent Claim 38 is an apparatus claim that substantially corresponds to Claim 1.

Amended independent Claim 5 includes features along the lines of Claim 1, but is more specifically directed to a method of establishing a desired communication between an originating entity and a target entity, each the entity being coupled to a communication network and having a corresponding profile related to information handled by the entity, the method comprising the steps of (i) determining a compatibility between the profile of the originating entity and the profile of the target entity, (ii) if step (i) fails to find a profile compatibility between the originating entity and the target entity, establishing the desired communication between the originating entity and the target entity by interposing at least one additional entity between the originating entity and the target entity to form a chain of entities, each the additional entity having an associated profile, the

interposing forming linked pairs between adjacent entities in the chain, and (iii) if step (i) finds the profile compatibility between the originating entity and the target entity, establishing the desired communication between the originating entity and the target entity without interposing the at least one additional entity, wherein the interposing establishes a profile compatibility between each the linked pair, and each of the steps (i), (ii), and (iii) is performed by at least one of the originating entity, the target entity, and the at least one additional entity.

Amended independent Claim 7 also includes features along the lines of Claims 1 and 5, but is more specifically directed to a method of establishing a desired communication between an originating entity and a target entity, each the entity being coupled to a communication network and having a corresponding profile related to information handled by the entity, the method comprising the steps of (i) determining a compatibility between the profile of the originating entity and the profile of the target entity, (ii) if step (i) finds a direct profile compatibility between the originating entity and the target entity, establishing the desired communication directly between the originating entity and the target entity; and (iii) if step (i) fails to find the direct profile compatibility between the originating entity and the target entity, (a) specifying one of the originating entity and the target entity as a searching entity, (b) searching the network by the searching entity to identify an additional entity coupled to the network and having a direct profile compatibility with the searching entity to thereby form a linked entity pair providing communications between the searching entity and the additional entity, (c) specifying the additional entity as the searching entity, (d) repeating steps (b) and (c) until the non-specified one of the originating entity and the target entity from step (a) is identified as the additional entity, and (e) establishing the desired communication between the originating entity and the target entity via the linked entity pairs.

Amended independent Claims 17 and 37 are system and computer medium claims, respectively, that substantially correspond to Claim 7.

Amended independent Claim 9 is also along the lines of the foregoing claims, but is specifically directed to a method of automatically establishing a process between an originating device and a target device, each said device having an associated profile, said method comprising the steps of (i) determining a profile compatibility between said originating device and said target device, (ii) establishing said process, if a profile compatibility between said originating and said target device is not found, between said originating device and said target device, by incorporating at least one additional device, said at least one additional device having an associated profile, said incorporation forming linked pairs of devices among said originating device, said target device and said at least one additional device, said incorporation establishing both a profile compatibility between each linked pair of said devices, and a compatible mapping of a message from said originating device to said target device, and (iii) establishing said process, if said profile compatibility between said originating device and said target device is found, between said originating device and said target device without incorporating said at least one additional device, wherein said originating device communicates a message, using a message protocol, to said target device; wherein each of the steps (i), (ii), and (iii) is performed by at least one of the originating device, the target device, and the at least one additional device.

Lastly, amended independent Claim 13 is directed to a method of establishing a process between an originating entity and a target entity, each said entity being coupled to a communication network and having a corresponding profile related to information handled by said entity, said method comprising the steps of (i) determining a compatibility between the profile of said originating entity and the profile of said target entity, (ii) if step (i) finds a direct profile compatibility between said originating entity and said target entity, establishing said process directly between said originating entity and said target entity, wherein said originating entity communicates a message, using a messaging protocol, to said target entity, said process being dependent upon said message, and (iii) if step (i) fails to find said direct profile compatibility between said originating entity and said target entity, (a) specifying one of said originating entity and said target entity as a

searching entity, (b) searching said network by said searching entity to identify an additional entity coupled to said network and having a direct profile compatibility with said searching entity to thereby form a linked entity pair providing communications using said messaging protocol between said searching entity and said additional entity, (c) specifying said additional entity as said searching entity, (d) repeating steps (b) and (c) until the non-specified one of said originating entity and said target entity from step (a) is identified as said additional entity, and (e) establishing said process between said originating entity and said target entity via said linked entity pairs to thereby establish said process and a compatible mapping of said message from said originating entity to said target entity.

The applied art, alone or in any permissible combination, is not seen to disclose or to suggest the features of the present invention. In particular, with regard to Claims 1 and 38, the applied art is not seen to disclose or to suggest at least the feature of, if a determination is made that a profile compatibility between an originating device and a target device is not found, a desired communication is established between the originating device and the target device by incorporating at least one additional device, the at least one additional device having an associated profile, the incorporation forming linked pairs of devices among the originating device, the target device and the at least one additional device, wherein the incorporation establishes a profile compatibility between each linked pair of the devices.

Similarly, with regard to Claim 5, the applied art is not seen to disclose or to suggest at least the feature of, if in determining a compatibility between a profile of an originating entity and a profile of a target entity, the determination fails to find a profile compatibility, a desired communication is established between the originating entity and the target entity by interposing at least one additional entity between the originating entity and the target entity to form a chain of entities, where the interposing forms linked pairs between adjacent entities in the chain and the interposing establishes a profile compatibility between each linked pair.

Likewise with regard to Claim 9, the applied art is not seen to disclose or to suggest at least the feature of, if a profile compatibility between an originating and a target device is not found, establishing a desired process between the originating device and the target device by incorporating at least one additional device, where the incorporation forms linked pairs of devices among the originating device, the target device and the at least one additional device, and wherein the incorporation establishes both a profile compatibility between each linked pair of the devices, and a compatible mapping of a message from the originating device to the target device.

Giese is merely seen to disclose a network communication that is established and maintained by one or more centralized entities such as a connectivity server 99a (FIG. 18) that controls communication sessions in a centralized control model. (see column 17, lines 38 to 40 of Giese), and connectivity servers 99a, b and c in a “highly distributed version” of the session control (see column 17, lines 41 to 44). However, clearly the centralized entities do not form an integral part of a communications path between an originating device and a target device. In this regard, Giese specifically teaches away from the present invention. For example, as stated at in Giese: “In future, networks will have network-wide enhanced and primary layer control logic centered in connectivity servers 99a-c that are divorced from actual transport nodes. Only tightly coupled path logic will be found in nodes.” (see column 17, lines 13 to 16.) Thus, Giese is clearly different from the present invention, which incorporates the additional device/entity so that a compatibility profile is formed between each linked pair of devices among the originating device, the target device and the additional device. Accordingly, amended independent Claims 1, 5 and 9 are not believed to be anticipated by Giese.

Zintel is not seen to add anything to overcome the foregoing deficiencies of Giese. In this regard, Zintel is merely seen to disclose an adapter which operates as a peer-networking addressable controlled device module converting protocols between other devices. However, Zintel, like Giese, is not seen to disclose or to suggest anything with regard to incorporating an additional device in a communication if a profile compatibility is

not found between an originating device and a target device, and forming a compatibility profile among linked pairs of devices among the originating device, a target device and the additional device. Thus, Claims 1 to 6 and 9 to 12 are believed to be allowable over Giese and Zintel.

Turning to Claims 7, 17 and 37, the applied art is not seen to disclose or to suggest at least the feature, of if a determination step fails to find a direct profile compatibility between an originating entity and a target entity, (a) specifying one of the originating entity and the target entity as a searching entity, (b) searching a network by the searching entity to identify an additional entity coupled to the network and having a direct profile compatibility with the searching entity to thereby form a linked entity pair providing communications between the searching entity and the additional entity, (c) specifying the additional entity as the searching entity, (d) repeating steps (b) and (c) until the non-specified one of the originating entity and the target entity from step (a) is identified as the additional entity, and (e) establishing the desired communication between the originating entity and the target entity via the linked entity pairs.

Likewise, the applied art is not seen to disclose or to suggest the feature of Claim 13, and in particular, is not seen to disclose or to suggest at least the feature of, if a determination step fails to find a direct profile compatibility between an originating entity and a target entity, (a) specifying one of the originating entity and the target entity as a searching entity, (b) searching a network by the searching entity to identify an additional entity coupled to the network and having a direct profile compatibility with the searching entity to thereby form a linked entity pair providing communications using a messaging protocol between the searching entity and the additional entity, (c) specifying the additional entity as the searching entity, (d) repeating steps (b) and (c) until the non-specified one of the originating entity and the target entity from step (a) is identified as the additional entity, and (e) establishing a process between the originating entity and the target entity via the linked entity pairs to thereby establish the process and a compatible mapping of a message from the originating entity to the target entity.

As stated above, Giese is merely seen to disclose the use of a centralized server to control communications. However, Giese is not seen to disclose or to suggest any of the claimed steps of (a) specifying one of the originating entity and the target entity as a searching entity, (b) searching a network by the searching entity to identify an additional entity coupled to the network and having a direct profile compatibility with the searching entity to thereby form a linked entity pair providing communications between the searching entity and the additional entity, (c) specifying the additional entity as the searching entity, (d) repeating steps (b) and (c) until the non-specified one of the originating entity and the target entity from step (a) is identified as the additional entity, and (e) establishing the desired communication between the originating entity and the target entity via the linked entity pairs. Accordingly, Claims 7, 13, 17 and 37 are not believed to be anticipated by Giese.

Zintel is not seen to add anything to overcome the foregoing deficiencies of Giese and in particular, Zintel is not seen to disclose or to suggest at least the feature of, (a) specifying one of the originating entity and the target entity as a searching entity, (b) searching a network by the searching entity to identify an additional entity coupled to the network and having a direct profile compatibility with the searching entity to thereby form a linked entity pair providing communications between the searching entity and the additional entity, (c) specifying the additional entity as the searching entity, (d) repeating steps (b) and (c) until the non-specified one of the originating entity and the target entity from step (a) is identified as the additional entity, and (e) establishing the desired communication between the originating entity and the target entity via the linked entity pairs.

In view of the foregoing amendments and remarks, all of Claims 1 to 17 and 37 to 40 are believed to be allowable.

No other matters having been raised, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicants
Edward A. Kmett
Registration No. 42,746

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

CA_MAIN 102194v1